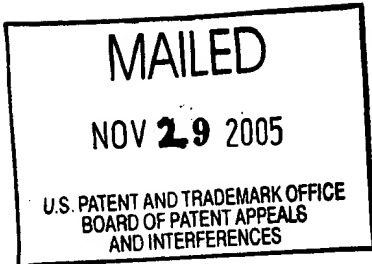


The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 21



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BRENT C. PARENT, AARON J. ROTH,
PATRICK O'BRIEN and ANDY F. SUHY, JR.

Appeal No. 2004-2006
Application 09/504,343

ORDER REMANDING TO EXAMINER

A Supplemental Information Disclosure Statement (IDS) was filed May 31, 2005 (Paper No. 18). It is not apparent from the record that the examiner considered the statement submitted nor notified applicants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Further, a remand was mailed on June 27, 2005 to have the examiner sign and date the (IDS) filed May 31, 2005. Although, the examiner sent in Paper No. 20 stating the IDS has been considered, the IDS has not been either signed or dated.

Appeal No. 2004-2006
Application 09/504,343


Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the Supplemental Information Disclosure Statement (sign and date Paper No. 18), and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____


CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

gjh

cc: RADER, FISHMAN & GRAUER PLLC
39533 WOODWARD AVENUE
SUITE 140
BLOOMFIELD HILLS, MI 48304-0610